

09/11/03



<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>(Only for new nonprovisional applications under 37 CFR 1.53(b))</small>	Attorney Docket No. 38190/268370  First Inventor Amitabh Vyas  Title APPARATUS AND METHOD FOR FRICTION STIR WELDING WITH A VARIABLE SPEED PIN  Express Mail Label No. EV 331609713 US
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ADDRESS TO: **MAIL STOP PATENT APPLICATION  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450**

Transmitted herewith for filing in the United States Patent Office is a patent application for:

Inventors: Amitabh Vyas

Assignee of this invention is The Boeing Company

1.  The Filing Fee has been calculated as shown below:
2.  Applicant claims Small Entity Status. See 37 CFR 1.27.

No. Filed	No. Extra	Small Entity Rate	Fee 0	Large Entity Rate	Fee 1
<b>BASIC FEE</b>			\$ 0		\$ 750
TOTAL CLAIMS:	41 - 20 = 21	X 9 = \$ 0		x 18 = \$ 378	
INDEP CLAIMS:	3 - 3 = 0	X 42 = \$ 0		x 84 = \$ 0	
[ <input type="checkbox"/> ] MULTIPLE DEPENDENT CLAIMS PRESENTED		+140 = \$		+280 = \$0	
*If the difference in Column 1 is less than zero, enter "0" in Column 2.		TOTAL	\$	TOTAL	\$ 1128

The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Acct. No. 16-0605.

- a.  Fees required under 37 CFR 1.16 (National filing fees).
- b.  Fees required under 37 CFR 1.17 (National application processing fees) including any extension of time fees under 37 CFR § 1.136(a) that are required for consideration of papers filed during prosecution.

A check in the amount of \$ 1,128.00 for the filing fee is enclosed.

The above filing fee will be paid along with Applicant(s) Response to the Notice to File Missing Parts.

3.  Specification; Total Pages 20
4.  5 Sheets of Drawing(s) (35 USC 113)
5.  Declaration and Power of Attorney; [*Total Pages 2*]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*
    - i.  DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) & 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76
7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

## ACCOMPANYING APPLICATION PARTS

8.  Assignment Papers (cover sheet & document(s) (including a check for the \$40.00 fee)
9.  37 CFR 3.73(b) Statement (*when there is an assignee*);  Power of Attorney
10.  English Translation Document (*if applicable*)
11.  Information Disclosure Statement (IDS)/PTO-1449; 0 Copies of IDS Citations
12.  Preliminary Amendment
13.  Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
14.  Certified Copy of Priority Document(s) (*if foreign priority is claimed*)  
 Foreign Priority is claimed as Application No. , filed
15.  Nonpublication Request under 35 U.S.C. 122(b)(2)(B)(i).  
Applicant must attach form PTO/SB35 or its equivalent.
16.  Request for Early Publication Under 37 CFR § 1.219. Fee of \$300.00 is enclosed.
17.  Petition For License For Foreign Filing (U.S. Patent Application Being Filed Concurrently) 37 C.F.R. § 5.14). Fee of \$130.00 is enclosed.
18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:  
 Continuation       Divisional       Continuation in Part (CIP)  
of prior Application No: \_\_\_\_; Filed

Prior Application Information: Examiner                          Group/Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS                          CUSTOMER NUMBER 00826

Signature: 

Attorney/Agent of Record: Nicholas F. Gallo  
Attorney/Agent Registration No. 50,135

Alston & Bird LLP

Bank of America Plaza

101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000

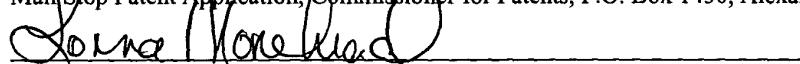
Tel Charlotte Office (704) 444-1000  
Fax Charlotte Office (704) 444-1111

"Express Mail" mailing label number EV 331609713 US

Date of Deposit September 11, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to:

Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

  
Lorna Morehead

CLT01/4609917v1

Attorney's Docket No. 38190/268370

Express Mail Label No. EV 331609713 US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

ATTENTION: Licensing and Review  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR LICENSE FOR FOREIGN FILING  
(U.S. PATENT APPLICATION BEING FILED CONCURRENTLY)  
(37 C.F.R. § 5.14)**

**PLEASE NOTE THAT THIS PETITION REQUESTS:**

- expedited handling.
- telephone report.

**1. Petition**

Petition is hereby made, in duplicate, for a license under 37 C.F.R. § 5.12(b), for the foreign filing of the subject matter for which a corresponding U.S. application is being filed concurrently herewith. A copy of this application is attached hereto to assist in the handling of this petition.

It is requested that the duplicate copy of the petition be returned with the license or other action on the petition.

**2. Identification of inventor(s), title of invention and short statement as to the nature of the invention**

Inventor(s) name(s): Amitabh Vyas

Title of invention: Apparatus And Method For Friction Stir Welding With A Variable Speed Pin

It is believed that this invention is clearly of no interest from a security standpoint, as it relates to: friction welding and, more specifically, to an apparatus and method for friction stir welding with a pin having a variable rotational speed.

**3. Expedited handling (37 C.R.F. §1.17(h))**

- Expedited handling of this petition for license is requested. The fee therefor is to be paid as follows:
  - Charge Deposit Account 16-0605 \$130.00.
  - Enclosed is a check in the sum of \$130.00.

**4. Telephone notification of issuance of license**

Please notify petitioner of the issuance of the license, by telephone, at the number shown below.



Signature of Attorney/Agent (Petitioner)

Nicholas F. Gallo

Registration No. 50,135

**Customer No. 00826**

**ALSTON & BIRD LLP**

Bank of America Plaza

101 South Tryon Street, Suite 4000

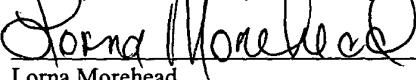
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Lorna Morehead

CLT01/4609775v1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Amitabh Vyas  
Appl. No.: To be assigned  
Filed: Concurrently herewith  
For: Apparatus And Method For Friction Stir  
Welding With A Variable Speed Pin

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR EARLY PUBLICATION  
UNDER 37 C.F.R. § 1.219**

Applicant hereby requests early publication of this patent application under 37 C.F.R. § 1.219. The fee of \$300.00 under 37 C.F.R. § 1.18 is enclosed. Any deficiency may be charged to deposit account 16-0605.

Respectfully submitted,

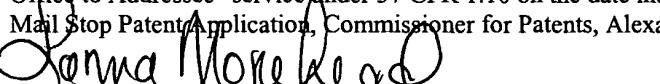
  
Nicholas F. Gallo  
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